BUSINESS.

Yesterday's bank clearings were \$10.272, Mili: balances \$600,250. Local discount rates were between 5 and 6 per cent. Domestic exchange was quoted as follows: New York, 500 promium bid, Of premum asked: Chicago, the premium hist, 25c premium asked; Cincinnati, Louisville and New Or-

leans, He discount bid, pur asked.

Wheat closed higher at SPANSPAC asked The ... \$508750 No. 2 red. Corn closed high-er at 6750 asked Dec., 4050 No. 2 mixed Oats closed at Thir Dec. Tiplic No. 2 Spot cotton was unchanged in the local

LOCAL AND SUBURBAN.

A "Jack the Clipper" wantonly attacked a young girl, Mary Plews, and cut off her

James L. Bluir, counsel for the World's Fair Company, was injured by a fall from

factorer, and his wife to-day will cele-trate their golden wedding anniversary. Ladles' Sanitary Committee of Civic Improvement League reports many viola-

tions of splitting ordinance.
Mr. and Mrs. F. W. Ehrler, the first couple married in St. John's Evangelical Church, will celebrate their golden wedding anniversary there to-night."

Encouraging reports were received at the eighty-fourth annual meeting of the St. Laufe Baptist Association. Explosion from manhole on Thirteenth

Street caused much excitement.
Richard R. Southard, Sewer Commis-

wioner under Mayor Noonan, died. National Paint, Oil and Vernish Association met at the Southern Hotel.

The bill in the City Council to number

automobiles was reported favorably.

The Transit Company's quarterly report ffiled yesterday gives the following figures. 'Trips, 1.38,32; passengers, 29,38,627.

GENERAL DOMESTIC. Daniel V. Miller, former Assistant At fterney General for the Post-Office Depart-iment, and his friend, Joseph M. Johns, are on trial at Cincinnati on a charge of conspiring to obtain money from John J. Ryan, a "turf commissioner."

The New York Court of Appeals declares that dependence on faith healing in case of mickness is criminal negligence.

The Tiliman murder case at Lexington, S. C., probably will go to the jury to-day,

arguments being almost completed. A Folk club is organized at Filley, Mo. Judge Frank N. Blaine of Petersburg is appointed a member of the Illinois State Republican Committee to succeed Deloss Grigaby, who died recently

The Cole County Grand Jury resumes the investigation of legislative boodling at -Jefferson City, Mo.

Dent Pitts attacked his wife with a butcher knife at Anna, Ill., cutting her throat. His stepson went to the rescue of lhis mother and cut Pitts's throat Both of them will die. The negroes fice from Kevil, the result

of the small race riot there Sunday. Twenty-five telephone girls strike at Paducah, Ky., but go back to work when other girls are imported from surround-

The Supreme Court of Missouri renders Ats written opinion in the case of Editor Shepherd, who was fined for contempt for ecriticising the court. In brief, the tribunal edeclares that the fine was necessary to defend itself and maintain its proper dig-Two brothers meet at Memphis, Mo.

rafter a separation of forcy years. They have so changed that neither knew the Cole Younger accepts a compromise from

the Younger-James show whereby his sconnection with the company is severed. All litigation is ended.

Lord Alverstone denies that he expressed the opinion that the Americans had the Better of the arguments in the Alaskan Boundary contention.

of the mays so that it will cover the sixprogramme. The army is soon to be supwilled with new weapons. Macedonia has become quieter, the in-

surgents having been routed and all but ennihilated by Turkish troops. The fugittives who have escaped into Bulgaria re-The sectivity of Italian socialists has

ecaused the postponement of the Czar's wish to Italy, and it is even reported that the may not go to that country at all. 'The Central American States are in the throes of war, Nicaragua and Guatemala thaving joined forces against Honduras and (Salvador, while the latter countries are saiding a Liberal uprising in Nicaragua.

SPORTING. Winners at the Pair Grounds yesterday were: Kiowa Chief, Miss Manners, Branecas, Buccleuth, Yellow Tall and Captain

tSmith Academy is assured of first place fin the interscholastic tourney.

*Close and exciting finishes mark the May's racing at the Lexington harness imeeting. Driver Greer is injured.

Marine Intelligence.

New York, Oct. 12.—Arrived: Katser Wilhelm II, from Bremen. Antwerp, Oct. 13,-Arrived: Zealand, from New York.

Naples, Oct. 7.-Sailed: Ligupria, New New York, Oct. 13.-Arrived: Georgic. Liverpool. Sailed: Armenian, Liverpool. Havre, Oct. 12.-Arrived: La Champagne,

New York. Queenstown, Oct. 15.-Arrived: Fries Band, Philadelphia, for Liverpool, and pro-

London, Oct. 13.-Arrived: Minnehaba, New York. Sailed: Philadelphia. Boston. Liverpool, Oct. 13.—Sailed: Sylvania, New York, vin Queenstown.

New York, Oct. IL-Arrived: Gresser Kursfurst, Bremen, and Cherbourg. Nantucket Lightship, Oct. 13.—Steamer Oceanic, from Liverpool and Queenstown for New York, off here at 5:20 p. m.

\$57.50 for Round Trip

To California

Via Missouri Pacific Raliway.

Tickets on sale October 8 to 17, inclusive, good for return until November 20, 1802. Only line running through Pullman sleeping cars. St. Louis to San Francisco. For particulars inquire at City Ticket Office, S. E. Cor. Sixth and Olive streets

GET READY FOR ENCAMPMENT.

Service Men of Spanish-American War Meet.



Who died vesterday in Bultima

ARCHBISHOP KAIN

DIES IN BALTIMORE.

Continued From Page One.

times hard on others, he never spared himself, and his death was the fluid breaking down of a splendid constitution and the culmination of a devotion that asked only to spend and be spent in the service of God."

SKETCH OF THE LIFE OF ARCHBISHOP KAIN.

a finely chis-ipd cast of countains never failed to call for admiration.

MANY APPOINTMENTS HAVE BEEN CANCELED.

All appointments of Elshop Glennon to idminister confirmation in the country parishes have been canceled until after October 24. It was thought tigst Arch-

ish for contempt is as old as the law itself and "has been exercised or not, as a matter of public policy, but its ex-istence has never been denied." This is followed by a history of contempt, es-pecially in England, from the time of Ed-ward I. Nine pages are devoted to the establishment of the court's right to pun-table for contemp. for contempt.

If determining what contempts may be

In determining what contempts may be punished the opinion classifies them as "civil or criminal," and as "direct or constructive." Civil contempts are such as a private person is affected by, "as for instance where a party refuses to obey a ladgment or order of court which will benefit such private person.

"Direct contempts are generally those which are committed in the presence of the court, while in session, or so near as to interrupt its proceedings, but also include any improper conduct tending to defeat or impair the administration of justice, which constructive contempts are from matters not transpiring in court, and which tend to degrade or make imponent the authority of the court, or in some manner to impede or embarrans, the administration of justice.

"The power to punish is the same in

ministration of fustles.

The power to punish is the same in both cases, in cases of direct contempts the court acts spontaneously, ex more mote, and commits the offender summarily. In cases of constructive contempts the court, upon information furnished by any citizen, and verified by afficial ex officio, which is supported by his official oath, and therefore needs no other verification, or upon its own information or motion, issues a citation to the offender to show cause why he should not be punished for contempt."

DUTY OF COURT.

Pive pages are devoted to citing uses showing the duty of the court to pundsh cases of constructive confort of the contemnor to make a political sue of the matter is not a proper subject for the court to deal with-the lawabiding, intelligent and patriotic people of

owers to some other tribunal, if they hould be minded so to do. NO OPTION.

Shepherd invoked a trial by Jury, "The Judges of this court," explains the pinion, "would have gladly sent this mostter to some other court for trial, and by a jury, too, if such a yourse had any precotent or justification in law, But as such a course would have been illegal and a shirking of their imperative obligations like including the law, they had no option but to dony the request and to execute the law.

"If a man commits an outrage in the fines of the court, what is there to be treed what further exidence can be necessary to convict him of the offense than the actual view of the Judges? A man has been compelled to enter into security for his good behavior, for giving the lied in the presence of the Judges of Westminster Hall. On the present occasion, is not the province from the inspection of the judges, as full and satisfactory its any that can be convert? And whether the publication amounts to a contempt or not is a point of law which, after all, it is not the province of the Judges, and not of the garder, as full and satisfactory its any that can be entered. And whether the publication amounts to a contempt or not is a point of law which, after all, it is not the province of the Judges, and not of the garder in our present to continue to the country to determine. Being a contempt, if it is not present to contempt, if it is not present to corrected. Leart it to the misches he corrected. Leart it to the misches he corrected. Leart it to the misches he corrected the plays of the province of the Judges, and the refers the James and therefore had substance, while the party presented to get the Judges and therefore had been and the country provinces and therefore had OF ARCHBISHOP KAIN.

The Most Reverend John J. Ksin was one of the most which known and most popular prelates in the United States. Born h Martinaburg. Earliely Country, he received in early life the training which made his work in the curren such that he forced his way to the fright quickly.

His preparatory education for the priestinoid was received at the St. Charles Senting and Filleon. Mid. Whete he was graduated in 182.

He then entered St. Mart's College, at Baltimore, which institution was also graduated in 182.

Shorth after his ordination he was assigned to territory along the Pototnac River. This territory was very large, licituding Harper's Ferry, and it was during the streamous times after the way final he showed his sterling worth as En indentically for the present of the present of the present of the stream of the price while the party persecuted in the relation of the present of the country of the present of the country of the present of the stream of the way final he showed his sterling worth as En independent of the country of the present of the stream of the stream of the way final he showed his sterling worth as En independent of the country of the present of the stream of the country has a stream of the stre

Bishop Kaig raige the drope of Wheeling. Bishop Kaig raige the drope of Wheeling are raised from the first state of the area of the state of the sta

parishes have been conserted shift! after October 24. It was thought that Archibebabop Harty might be able to meet them, but the stress of work upon him and a slight sickness make it impossible.

The Reverend Pather J. J. Tanrath. Vice Chancollor of the docesse, said has high that the funeral of Archibebab Kain will that the funeral of Archibebab Kain will take place either Theolity or Wolfnesday in the Old Cathedral.

SUPREME COURTS'

WRITTEN OPINION.

IN CONTEMPT CASE.

Continued From Page One.

Ish for contempt is as old as the law itself and "has been exercised or not, as a matter of public policy, but its existence has never been denied." This is followed by a history of contempt, esceptible in England, from the rine of Ed.

CODE OF HONOR.

CODE OF HONOR. paper insulted, slandered, maltened a cit tren, the injured party demanded satisfar tion according to the code of honor, and if this was refused, treated the offender as a mad dog is usually dealth with. It is worthy of notice that it those days every one was careful to tell the truth about his fellow-men, and equally careful to avoid scandalizing them. But even in those days there were occasional breaches of decency in this regard, which were promptly dealt with."

"Now it is a generally settled fact," says the opinion, "that the law is sufficient to deal with such libeis." The opinion sets out where true criticism differs from cal-umny in the following particulars: 1 Criticism deals only with such things as invite public attention or call for public com-ment.

Criticism never attacks the individual, but his work. Such work hary be either a ry of the threatment, the action of a memory of the threatment, a public entertainment, a public entertainment, a public entertainment, a public entertainment, a publiched or a picture exhibited. In excess the attack to on the man across or something, not upon the man himself. A critic never induhes in personalities. This criticism never impatts or instruction of the criticism for the criticism never impatts of instruction of the prosperiors. reads never takes advantage of the realist never takes making or attain of beyond a fair discussion of mattern laters and the judicial guidance of

COURT FOREBEARING.

After stating that the courts had been

this spirit the fudement in this case entered, and in this spirit let it be

FOLK ARGUES BUTLER CASE BEFORE JUDGE GANTT.

Continued From Page One.

that being a case where NOT A DELEGATION

OF LEGISLATIVE POWER. conference the Board of Seatth the ministerial functions for accepting or rejecting hids remaining the reduction of garbage. Legislative persons cannot be delegated; mimsterial powers monetorial function entity. If the conditions specified in the ordinance are compiled with VALIDITY OF ORDINANCE

NOT THE QUESTION. list the saliday of the garbage contract of the garbage ordinance is not the question in this case. The issue is, Did the defendant, Futet, offer a bribe to Doctor Chapman, a men-

The gravation of the offense of bribery is the attempt to influence official conduct by corrupt means. Every if in a proper proceeding the garbage outlinance he held invalid, this would it excuse the defendant for attempting to in unbers of the Hourd of limitty at least, had an attion de ture, if one bold office created for an unconstitutional statute, until the statute is assumed unconscitutional in a judicial proceed-ing he is subject to arthery, for he is a demore official, so it a special power is est record by an unconstitutional statute on an of-scual as to the power so conferred, he is an of-ficial we forth until the statute in policially de-

per power to usuegate to a locard of mean the right to accept or reject hids for the gar-bage ordinance, and therefore there was noth-ing that could by say come lefter the Blood of Hasith, and therefore the defendant com-mitted no crime in attempting to tribe whe of the mempers of the Board of Health by the us

The purpose of the law for punishing bribery is to preserve official acts from taliff and you

the detendant offered \$1) to the Mayer of Se-dalla to appoint Min an engineer. When in-dicted for attempted brivery, the defendant set

In the case of Florens vs. State, Il Tex. App., Bil. the Deputy Shetiff was offered a bribe to let a prisoner escape. At the trial for al-tempted bribery, the defendant sought to show rollton. On the trial it was shown that the that the Deputy Sheriff had really never been defendant had attempt if it inhe other more

In Mosely vs. State, 25 Tex. App., 188, an officer accepted a bribe to release a prisoner, and, when charged with the offense, pleaded that dency to official corruption, and it is official corruption that this statute is intended to numish, not the fliegal arrest and detetition of citi-

in State vs. Elizs. E. N. J. Law. 102 the de-rendant offered a member of the Common Coun-il of Jersey City a lathe to vote in favor of an application to lay a railroad track along one OF ATTEMPTED BRIBERY. of the public stroets of that city. harged with attempted believy, defendant naded that the Council did not have jurisdicon to grant the application anyway. The court beld this to be immaterial. If the application was, in point of fact, made in attempt to se-

SIMILAR OFFENSES REGARDED COMPETENT.

Dr. Shoop's Rheumatic Cure Costs Nothing if it Falls.

Any honest person who suffers from Rheumstism is welcome to this offer. For years I searched everywhere to find n specific for Rheumatism. For nearly 20 years I worked to this end. At last, in Germany, my search was rewarded. I found a costly chemical that did not disappoint me as other Rheumatic prescriptions had disappointed physicians every-

I do not mean that Dr. Shoop's Rheu matic Cure can turn bony joints into fiesh again. That is impossible. But it will drive from the blood the polson that drive from the blood the poison that causes pain and swelling, and then that is the end of Rheumatism. I know this so fendant were justified, as he stated in the utwell that I will furnish for a full month gement, by the testimony of the defendant my Rheumatic Cure on trial. I cannot bimself concerning his awnership of stock in authorities as to what constitutes con-tempt. In closing the opinion says that there was no legal justification for the fendant. He was guilty of malice," says the opinion "Lef honest fair-minded, pa-forite people of this State, who read the opinion say whether or not it was not the duty of the court to punish them." cure all cases within a month. It would

faith. My faith is but the outcome of ex-The service men of the Spanish-American War will hold their annual encampment in St. Louis October 26 and Z. and date in meeting in the Lindell parlors has might an organization to arrange for the entertainment of the guests, was perfected.

The defendant invoked Section [8]6, Resident and power to purplish Shepherd's offense.

The defendant invoked Section [8]6, Resident and power to purplish Shepherd's offense.

The defendant invoked Section [8]6, Resident and power to purplish Shepherd's offense.

The green were: John A. Porter, A. A. Marquardt, E. A. Berliner, P. Schummacher, Major Doctor Keafing Bandius, Charles Weber, Henry J. Grosse, Captain E. H. Loffnagen, H. N. Bregatone, H. A. Northess and Martin Shere. These men represent the camps Hamilton Fish, Jr., Walter Jennings and Neisen Cole.

It is expected that about 20 delegates will attend the meeting, and extensive plant of the major of the camps Hamilton Fish, Jr., and asserts that it will be find the proper discharge the trust and give the foreign the power of the substance of the statutes another with any other respects that a fabrit 20 delegates will attend the meeting, and extensive plant of the first statutes and the substance of perience-of actual knowledge. I KNOW what it can do. And I know this so well

Simmons Hardware C.

Broadway Store,

Announces the Annual Fall Opening

CHINA STORE

Wednesday, Oct. 14.

Thursday, Oct. 15.

Friday,

Oct. 16.

Beautifully Decorated Dinner. Wedding and Reception Tables



Demonstrating the Authentic Styles in Table Dressing for this Season.

Select Music by Weil's Orchestra. Chief among the attractions sure to delight our lady guests will be an

Orchid Dinner Table-Beautifully dressed in Lavender and Yellow Orchids, with solid silver service in orchid patterns.

Wedding Breakfast Table—Dressed in White Orchids, Lilies of the Valley and Bride Roses, solid silver service, with wedding bell overhanging, the whole embellished with white silk and incandescent lights.

Reception Table—Dressed with American Beauty Roses and Ribbons, with handsome specimens of cut glass elegance.

Thanksgiving Table-Charmingly dressed in the brilliant hues of autumn leaves, with fruits and American Beauty Roses. A strikingly handsome and novel effect.

Together with the largest and most complete exposition of statuary, bronzes, bric-a-brac and lamps ever seen in St. Louis.

Simmons Handware C

Har attempt made by the defendant to bribe him, at or near the same time that the de-ferdant attempted to brice Declar Chapital, and under similar circum-cares, is competent. As a general rule, ordered in matters other

fendant was charged with altempting to bride supplied and never qualified. The court held bers at the same time. The court held this to be no defense at all.

In Mosely vs. State, 23 Tex. App., 115, an In State vs. Halch, 195 Ma., 168, defendant

was charged with robbing a man in Forest he had no power to make the arrest anyway.

The court held that sinch an tesus is irrelevant and immaterial. The law abbors even a tenfrom another man on a different evening under similar circumstances. In State vs. Phillips, 189 Mo., 562 defendant

was charged with stealing a cow. Evidence was held admissible to show that he also stole three other cows in the same manner and sold CONCERNING TIME

The point made by the defense that an offer to bribe was made on September 16, 1961, and the ordinance was not signed by the Mayor until September 17, 1901, and therefore there can be no bribery, is untenable. In the first piace, Dector Chapman said the date of the offer of the bribe was 'on or about' Septem-ber 16, 1901. It further appears that at the time of the attempted bribery the ordinance had passed. The ordinance was signed by the Speaker of the House of Delegates on Septem-ber 11, 1901, and by the President of the Council

on September 28, 1861.
Supposite, for the sake of argument, that
the attempt was made on September 16, after the ordinance was passed, but before it was signed; it was just as much attempted bribery as if it was made on September 16, for it was a matter that might by law to brought before the Buard of Health. Furthermore, the date of the offer is not a matter to be considered by the Supreme Court. The disputed question of fact us to the date was submitted to the jury under proper fastructions from the court and, there being substantial evidence to suptheir Ending, their verdict should not be dis-turbed.

The arguments of the prosecuting attorneys contain sothing improper. What was said by the Circuit Afterney as to the value of newspapers in fighting corruption was in reply to an argument on that subject by the afterneys for the defense. All the cases where argument was held to be injurious and errorens have been where prosecuting autorneys in-dulged in invective or stated facts to the jury the sanitary company and hauling company. The part of the Circuit Attorney's argument that was objected to, and in which the objection was not sustained, was so untong upon the jury the importance of enforcing the saw; thursty is necessary to sustain the proposition were not objected to at all on the trial, and

Pall Opening of the China Store To-day, immons Hardware Company.

REFUSES TO ISSUE PERMIT. Mortuary Clerk Declares Osteopath Is Not Registered.

Mortuary Clerk Smyth, acting under or-

lers from Acting Health Commissioner Prancis, in the absence of Commissions Simon, who is with the Sanitary Commis sion, refused yesterday afternoon to accept a burist permit signed by Doctor Hofices at No. 201 Odd Fellows' building. Smyth said that Doctor Bailey is registered. When seen last night the tor said that he had been practicing it

Burlington CALIFO:

Take advantage of the \$30.00 one-way colonist tickets from St. Louis to California-\$6.00 additional for through berth in our Personally Conducted Tourist Excursions, leaving St. Louis every Wednesday night at 9 o'clock, going via Denver, through Scenic Colorado and Salt Lake City by daylight.

Write for our California Folder, with list of hotels, resorts and boarding-houses; also folder descriptive of these excursions, all free on request. Ticket Office, S. W. Cor. Broadway and Olive Street. General Passenger Agent, 604 Pine Street, St. Louis, Mo.

Spaulding & Co

Goldsmiths Silversmiths and Jewelers Importers of

Diamonds Precious Stones Watches and Art Goods

Producers of Rich Jewelry and Silverware

Special and artistic designs furnished.

Our "Suggestion Book" mailed on application, Jackson Boulevard, Corner of State Street, Chicago

had occasion to issue only four death cer-tificates, all of which had passed through the usual routine of the Mortuary Clerk's other office.

He said that he was registered under the old law and the certificates to practice provided for in the new law passed by the last Legislature had not been signed by all the members of the State Board, but would be in a few days.

As soon as he arrived the doctor said that he would register again if need be At best, he stated, the objection of the Health Department was on a pure technicality.

Fall Opening of the China Store To-day immons Hardware Company.

THE WEATHER.

Official Forecast Announced for To-Day and To-Morrow.

Washington, Oct. 12-Forecast; Illinois-Fair in east; rain in west portion Wednesday. Thursday, rain and warmer, Missouri-Showers Wednesday and probably Thursday. Faster Wednesday and Thurshy:
Western Texns-Fair Wednesday: warmer in
northern portion. Thursday, fair.
Oklahuma, Arkanesa and Indian Territory—
Showers Wednesday. Thursday, fair and
warmer. Narmer, Juwa - Showers Wednesday and Thursday, Joseph Thursday,

Netraska and Kansas-Showers Wednesday.

=== PEORIA=== CHICAGO & ALTON, Saturday, Oct. 17th. Particulars and tickets at City Office, Carleton Bidg., and Union Station. "THE ONLY WAY."

in P n Stationery.

INDORSE TERMINAL

Manufacturer's Association Has Adopted Favorable Resolutions. The Executive Council of the Manufacurers' Association met last night at the Southern Hotel, and, after a discussion of the situation, indersed the following rescution, which was introduced by L. D. Kingsland, president of the association:

lution, which was introduced by L. D. Kinzyland, president of the association: Resolved, That the proposed ordinance granting franchises to the St. Louis Terminal Raliway Association offers concessions and advantages to the mercantile and manufacturing interests of St. Louis, which cultiles it to the support of this association; and be it further Resolved, That the St. Louis Manufacturers' Association indorses the ordinance now submitted before the Municipal Assembly, and urges its passage upon the Assembly, and this association will do everything in its power to secure its passage.

Always Remember the Full Name Cares a Cold in One Day, Grip in 2 Days G. 71. Liver box. 25c